

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Notice of Proposed Rulemaking

Appropriate Regulatory Treatment for
Broadband Access to the Internet Over
Cable Facilities

CS Docket No. 02-52

REPLY COMMENTS OF THE CITY OF RENTON, WASHINGTON

These reply comments are filed by the City of Renton, Washington in support of the comments filed by the Alliance of Local Organizations Against Preemption (the “Alliance”).

The City of Renton believes that local communities should be able to enforce existing authorizations that have been granted for cable modem access, pursuant to the terms of its franchise, should be able to obtain fair and reasonable compensation for the use and occupancy of its public rights-of-way to provide noncable services and should be able to regulate cable services, occupying the public right-of-way, pursuant to an existing franchise, in the cable company’s provision of noncable services.

The City of Renton, Washington is served by AT&T Broadband soon to be known as AT&T/Comcast. Cable modem service is offered in our community through

cable and conduit laid in public right-of-way pursuant to our franchise with the cable company. Our franchise does not directly address cable modem service. However, under our franchise, the definitions are broad enough to include cable modem services. Pursuant to our franchise, the City of Renton is entitled to receive franchise fees on cable modem service.

DATED this ____ day of _____, 2002.

Respectfully submitted,

WARREN, BARBER & FONTES, P.S.

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